

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST EMPLOYER**

**INSTRUCTIONS:****DO NOT WRITE IN THIS SPACE**

Case

Date Filed

28-CA-284864

10/19/2021

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

**1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT**

a. Name of Employer SOC/NV		b. Tel. No. 702-295-2382
		c. Cell No.
d. Address (street, city, state ZIP code) SOC/NV Bldg. 1000 Mercury, NV 89023  PO Box 96386 Las Vegas, NV 89193 (Headquarters)	e. Employer Representative (b) (6), (b) (7)(C)	f. Fax No.
		g. e-Mail (b) (6), (b) (7)(C)@nv.doe.gov
		h. Dispute Location (City and State)
i. Type of Establishment (factory, nursing home, hotel) Security Services	j. Principal Product or Service Security Services	k. Number of workers at dispute location ~220

1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

**2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)**

Within the previous six months, the above-named employer has interfered with, restrained, and coerced employees in the exercise of their rights under Section 7 of the National Labor Relations Act, by its actions, including, but not limited to failed to bargain with the Union over the implementation of terms and conditions of employment regarding plans unilaterally imposing a policy for COVID-19 vaccinations.

By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of their rights under Section 7 of the National Labor Relations Act.

**3. Full name of party filing charge (if labor organization, give full name, including local name and number)**

Independent Guard Association of Nevada, Local 1

4a. Address (street and number, city, state, and ZIP code) NNSS Building 1000 Mercury NV, 89023	4b. Tel. No.
	4c. Cell No. (b) (6), (b) (7)(C)
	4d. Fax No.
	4e. e-Mail (b) (6), (b) (7)(C)@nv.doe.gov

**5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)**

(b) (6), (b) (7)(C)

**6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

B (b) (6), (b) (7)(C)	Print Name and Title	Tel. No. (b) (6), (b) (7)(C)
		Office, if any, Cell No.
(S (b) (6), (b) (7)(C)		Fax No.
Address: NNSS Building 1000 Mercury NV,	Date: 10-19-21	e-Mail (b) (6), (b) (7)(C)@nv.doe.gov

# NxGen "C" Assignment Sheet

**Case Name:** SOC/NV **Category:** 3  
**Method of Receipt** eFile **Date Filed** 10/19/2021 **Amended Charge?** ☐ Yes ☒ No  
**Assign To:** Garza Choose an item. Levy Choose an item.  
 (Supervisor) (Agent)  
**Case/Inquiry Number:** (b) (6), (b) (7)(C) **Potential 10(j)?** ☐ Yes ☒ No **Related/Blocked Cases:** \_\_\_\_\_  
**Coordination?** ☐ Yes ☒ No ☐ Cat 3 Organizing ☐ U.S. Postal Information Case Region \_\_\_\_\_  
**Bargaining Status:** ☐ Existing Contract ☐ Organizational Campaign ☒ None  
☐ Seeking Initial Contract ☐ Seeking Successor Contract

<p><b>CA - 8(a)(1):</b></p> <p><input type="checkbox"/> Coercive Actions (Surveillance, etc.)</p> <p><input type="checkbox"/> Coercive Rules</p> <p><input type="checkbox"/> Coercive Statements (Threats, Promises of Benefits, etc.)</p> <p><input checked="" type="checkbox"/> Concerted Activities (Retaliation, Discharge, Discipline)</p> <p><input type="checkbox"/> Denial of Access</p> <p><input type="checkbox"/> Discharge of supervisor (Parker-Robb Chevrolet)</p> <p><input type="checkbox"/> Interrogation (Including Polling)</p> <p><input type="checkbox"/> Lawsuits</p> <p><input type="checkbox"/> Weingarten</p>	<p><input type="checkbox"/> Shutdown or Relocate/Subcontract Unit Work</p> <p><b>CA - 8(a)(5):</b></p> <p><input type="checkbox"/> Alter Ego</p> <p><input type="checkbox"/> Failure to Sign Agreement</p> <p><input type="checkbox"/> Refusal to Bargain/Bad Faith Bargaining (incl'g surface bargaining/direct dealing)</p> <p><input type="checkbox"/> Refusal to Furnish Information</p> <p><input type="checkbox"/> Refusal to Recognize</p> <p><input checked="" type="checkbox"/> Repudiation/Modification of Contract [Sec. 8(d)/Unilateral Changes]</p> <p><input type="checkbox"/> Shutdown or Relocate (e.g., First National Maint.) Subcontract Work</p>	<p><input type="checkbox"/> Refusal to Bargain/Bad Faith or Surface Bargaining</p> <p><input type="checkbox"/> Refusal to Furnish Information</p> <p><input type="checkbox"/> Repudiation/Modification of Contract</p> <p><b>CB - 8(b)(5):</b></p> <p><input type="checkbox"/> All Allegations</p> <p><b>CB - 8(b)(6):</b></p> <p><input type="checkbox"/> All Allegations</p> <p><b>CC - 8(b)(4)(A):</b></p> <p><input type="checkbox"/> Lawsuits/Grievances</p> <p><input type="checkbox"/> Picketing/Handbilling</p> <p><input type="checkbox"/> Statements</p>
<p><b>CA - 8(a)(2):</b></p> <p><input type="checkbox"/> Assistance</p> <p><input type="checkbox"/> Domination</p> <p><input type="checkbox"/> Unlawful Recognition</p>	<p><b>CB - 8(b)(1)(A):</b></p> <p><input type="checkbox"/> Coercion, Incl'g Statements and Violence</p> <p><input type="checkbox"/> Denial of Access</p> <p><input type="checkbox"/> Discipline (including charges/fines)/Harassment</p> <p><input type="checkbox"/> Duty of Fair Representation, incl'g Superseniority, denial of access</p> <p><input type="checkbox"/> Hiring Halls</p> <p><input type="checkbox"/> Picketing/Strike Actions</p> <p><input type="checkbox"/> Rules: Coercive</p> <p><input type="checkbox"/> Union Dues and/or Membership Related (including excessing fees)</p>	<p><b>CC - 8(b)(4)(B):</b></p> <p><input type="checkbox"/> Lawsuits/Grievances</p> <p><input type="checkbox"/> Picketing/Handbilling</p> <p><input type="checkbox"/> Statements</p>
<p><b>CA - 8(a)(3):</b></p> <p><input type="checkbox"/> Changes in Terms and Conditions of Employment</p> <p><input type="checkbox"/> Discharge (Including Layoff and Refusal to Hire (not salting))</p> <p><input type="checkbox"/> Discipline</p> <p><input type="checkbox"/> Lockout</p> <p><input type="checkbox"/> Refusal to Consider/Hire Applicant (salting only)</p> <p><input type="checkbox"/> Refusal to Hire Majority</p> <p><input type="checkbox"/> Refusal to Reinstate E'ee/Striker (e.g. Laidlaw)</p> <p><input type="checkbox"/> Retaliatory Lawsuit</p> <p><input type="checkbox"/> Shutdown or Relocate/Subcontract Unit Work</p> <p><input type="checkbox"/> Union Security Related Actions</p>	<p><b>CB - 8(b)(1)(B):</b></p> <p><input type="checkbox"/> Fund Contribution Related</p> <p><input type="checkbox"/> Lawsuits</p> <p><input type="checkbox"/> Other Allegations</p> <p><input type="checkbox"/> Statements/Threats/Violence</p>	<p><b>CC - 8(b)(4)(C):</b></p> <p><input type="checkbox"/> Lawsuits/Grievances</p> <p><input type="checkbox"/> Picketing</p> <p><input type="checkbox"/> Statements</p>
<p><b>CA - 8(a)(4):</b></p> <p><input type="checkbox"/> Changes in Terms and Conditions of Employment</p> <p><input type="checkbox"/> Discharge (Including Layoff and Refusal to Hire)</p> <p><input type="checkbox"/> Discipline</p> <p><input type="checkbox"/> Refusal to Reinstate Employee/Striker</p>	<p><b>CB - 8(b)(2):</b></p> <p><input type="checkbox"/> Hiring Hall Related</p> <p><input type="checkbox"/> Lawsuits</p> <p><input type="checkbox"/> Union Security Related Actions</p> <p><input type="checkbox"/> Causing the Employer to Discriminate/Retaliate</p>	<p><b>CD - 8(b)(4)(D):</b></p> <p><input type="checkbox"/> All Allegations</p> <p><b>CD - 8(b)(7)(A):</b></p> <p><input type="checkbox"/> All Allegations</p> <p><b>CD - 8(b)(7)(B):</b></p> <p><input type="checkbox"/> All Allegations</p> <p><b>CD - 8(b)(7)(C):</b></p> <p><input type="checkbox"/> All Allegations</p>
	<p><b>CB - 8(b)(3):</b></p> <p><input type="checkbox"/> Failure to Sign Agreement</p>	<p><b>CE - 8(e):</b></p> <p><input type="checkbox"/> All Allegations against a Labor Organization</p>

☐ All Allegations against an Employer

**CG - 8(g):**

☐ All Allegations





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 28  
2600 North Central Avenue  
Suite 1400  
Phoenix, AZ 85004-3099

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (602)640-2160  
Fax: (602)640-2178



Download  
NLRB  
Mobile App

October 20, 2021

SOC/NV  
PO Box 96386  
Las Vegas, NV 89193

Re: SOC/NV  
Case 28-CA-284864

Ladies and Gentlemen:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney Nicole Levy whose telephone number is (702)820-7473. The mailing address is 300 Las Vegas Boulevard South Suite 2-901, Las Vegas, NV 89101. If this Board agent is not available, you may contact Deputy Regional Attorney David T. Garza whose telephone number is (505)313-7216.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Correspondence:** All documents submitted to the Region regarding your case MUST be filed through the Agency's website, [www.nlr.gov](http://www.nlr.gov). This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why

you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlrb.gov](http://www.nlrb.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Cornele A. Overstreet", written in a cursive style.

Cornele A. Overstreet  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

CAO/NL/ia

## QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME	CASE NUMBER 28-CA-284864
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## 1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

## 2. TYPE OF ENTITY

☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify )

## 3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES
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## 4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

## 5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

## 6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).

## 7A. PRINCIPAL LOCATION:

## 7B. BRANCH LOCATIONS:

## 8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

## A. TOTAL:

## B. AT THE ADDRESS INVOLVED IN THIS MATTER:

9. DURING THE MOST RECENT (Check the appropriate box): ☐ CALENDAR ☐ 12 MONTHS or ☐ FISCAL YEAR (FY DATES \_\_\_\_\_)

	YES	NO
A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value. \$ _____		
B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$ _____		
C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$ _____		
D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$ _____		
E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$ _____		
H. Gross Revenues from all sales or performance of services (Check the largest amount) <input type="checkbox"/> \$100,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000 <input type="checkbox"/> \$1,000,000 or more If less than \$100,000, indicate amount.		
I. Did you begin operations within the last 12 months? If yes, specify date: _____		

## 10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

☐ YES ☐ NO (If yes, name and address of association or group).

## 11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME	TITLE	E-MAIL ADDRESS	TEL. NUMBER
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## 12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)	SIGNATURE	E-MAIL ADDRESS	DATE
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## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**SOC/NV**

Charged Party

and

**INDEPENDENT GUARD ASSOCIATION OF  
NEVADA, LOCAL 1**

Charging Party

**Case 28-CA-284864**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on October 20, 2021, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

SOC/NV  
PO Box 96386  
Las Vegas, NV 89193

October 20, 2021

\_\_\_\_\_  
Date

Irwin Acevedo, Designated Agent of  
NLRB

\_\_\_\_\_  
Name

/s/ Irwin Acevedo

\_\_\_\_\_  
Signature





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 28

2600 North Central Avenue  
Suite 1400  
Phoenix, AZ 85004-3099

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (602)640-2160  
Fax: (602)640-2178



Download  
NLRB  
Mobile App

October 20, 2021

Independent Guard Association of Nevada, Local 1  
NNSS Building 1000  
Mercury, NV 89023

Re: SOC/NV  
Case 28-CA-284864

Ladies and Gentlemen:

The charge that you filed in this case on October 19, 2021 has been docketed as case number 28-CA-284864. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney Nicole Levy whose telephone number is (702)820-7473. The mailing address is 300 Las Vegas Boulevard South Suite 2-901, Las Vegas, NV 89101. If this Board agent is not available, you may contact Deputy Regional Attorney David T. Garza whose telephone number is (505)313-7216.

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**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date

and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Cornele A. Overstreet", with a stylized, cursive script.

CORNELE A. OVERSTREET  
Regional Director

CAO/NL/ia

**From:** [Levy, Nicole C.](#)  
**To:** (b) (6), (b) (7)(C) [@nv.doe.gov](#); (b) (6), (b) (7)(C)  
**Subject:** 28-CA-284864: SOC/NV  
**Date:** Thursday, October 21, 2021 3:41:00 PM

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Hello (b) (6), (b) (7)(C)

Per our discussion today, please send any documentation you have using our digital eFile system. You can use this [link](#) to access your account (what you used to file your charge initially).

You can also copy and paste this link into your internet browser:

<https://apps.nlr.gov/myAccount/#/MyAccount/Login>.

Note my correct telephone number in my signature below. If you have any questions, please feel free to contact me.

Thank you,  
Nicole

Nicole C. Levy  
Field Attorney  
National Labor Relations Board | Region 28 | Las Vegas Resident Office  
300 Las Vegas Boulevard, Suite 2-901, Las Vegas, NV 89101  
✉ [nicole.levy@nlrb.gov](mailto:nicole.levy@nlrb.gov) | ☎ (702) 820-7471 | 📠 (702) 388-6248



INDEPENDENT GUARD ASSOCIATION  
OF NEVADA • LOCAL NO. 1  
P. O. BOX 41 MERCURY, NEVADA 89023



October 4, 2021

(b) (6), (b) (7)(C)

SOC/NV  
Bldg. 1000  
Mercury, NV 89023

**RE: Letter of Concern (Covid Protocols)**

(b) (6), (b) (7)(C)

The Independent Guard Association of Nevada Local #1 is requesting all policies, guidance and directives SOC/NV has or intends to issue regarding implementation of mandatory Covid vaccinations pursuant to the Federal Order. In addition, IGAN requests copies of any directives and guidelines SOC/NV has received from any government agency, whether local or national, which addresses implementation at our site. IGAN's position is that it doesn't support mandatory vaccinations for employment. This infringes on each employee's personal choice on making medical decisions. We are also concerned that SOC/NV has not addressed medical or religious exemptions which are covered by Federal law. However, we remain fully supportive of mandatory testing going forward.

We have a mutual interest in assuring that the site remains fully protected which includes adequate staffing. From what we can see, there is a significant number of SPOs who may not meet the December 8<sup>th</sup> deadline for vaccination. If the Federal Order stands, we will need to address the short term and long-term impacts of SPO staffing post December 8<sup>th</sup>. We are concerned the SOC/NV may terminate unvaccinated SPOs which is detrimental to national security in the long run. It would be short sighted to lose employees who the company has invested valuable time, training and resources and who have faithfully carried out the mission of protecting the site over many years.

These are important and serious issues which must be addressed in a short time frame. We look forward to opening a dialogue with you and working toward mutually beneficial resolutions.

Respectfully,

(b) (6), (b) (7)(C)

IGAN Local #1

(b) (6), (b) (7)(C)



October 7, 2021

(b) (6), (b) (7)(C)

IGAN (b) (6), (b) (7)(C)

Independent Guard Association of Nevada Local No. 1

P.O. Box 41

Mercury, NV 89023

Subject: Response to IGAN Letter of Concern on Vaccinations (COVID Protocols), dated October 4, 2021

Dear (b) (6), (b) (7)(C):

Thank you for submitting your Letter of Concern on the subject of COVID vaccinations. SOC LLC ("SOC") completely agrees that we have a mutual interest in assuring that the site remains fully protected in all aspects including adequate staffing. SOC also stands by its commitment to provide a safe and healthy workplace. The guidance and directives regarding the COVID vaccination mandate that we have received to date are as follows:

- Executive Order 14042 of September 9, 2021, Ensuring Adequate COVID Safety Protocols for Federal Contractors
- Safer Federal Workforce Task Force COVID-19 Workplace Safety: Guidance for Federal Contractors and Subcontractors Issued September 24, 2021
- Memorandum from Acting Administrator for Federal Procurement Policy Office of Management and Budget; SUBJECT: Issuance of Agency Deviations to Implement Executive Order 14042

A copy of each document referenced is being provided in conjunction with this Letter of Concern response. As SOC receives more formal direction from the government, it will be communicated as soon as possible. This includes formal notification of an approved contract modification. As a federal contractor, and an employer with more than 100 employees, SOC will be obligated to comply with all new requirements. This requirement is similar to the language in the Collective Bargaining Agreement (CBA) article 8.1 which states:

"[A]ll employees covered by this agreement are obligated to read and comply with the orders, rules, regulations, policies and procedures of the Company, DOE, NNSA/NFO, any successor government agency or any successor contractor to the company".

In keeping with our mutual interest in assuring the site remains fully protected with adequate staffing, we request that CBA article 15.2 be upheld. Article 15.2 states:

"The Union collectively, and each employee individually, agree they will not, during the term of this Agreement, call, engage in or sanction in any way any strike, sympathy strike, work stoppage, slowdown, picketing, sit-down, sit-in, boycott or any



A DAY & ZIMMERMANN COMPANY

other interference with or interruption of the Company's operations for any reason whatsoever. The Union collectively, and the employees individually, hereby expressly waive any statutory right they may have to engage in any such activity during the term of this Agreement."

Should you have any further concerns or questions related to this subject, please do not hesitate to contact me. We continually look forward to working together in the execution of the Protective Force mission.

Sincerely,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C), Protective Force Operations  
SOC LLC





October 7, 2021

(b) (6), (b) (7)(C)

IGAN (b) (6), (b) (7)(C)

Independent Guard Association of Nevada Local No. 1

P.O. Box 41

Mercury, NV 89023

Subject: Addendum to the Response to IGAN Letter of Concern on Vaccinations (COVID Protocols),  
dated October 4, 2021

Dear (b) (6), (b) (7)(C):

Thank you for submitting your Letter of Concern on the subject of COVID vaccinations. As an addendum to the formal response to your Letter of Concern, SOC LLC ("SOC") would like to also inform you of the procedure for addressing medical or religious exemptions. If any member of the Protective Force (PF) would like to seek an exemption covered by Federal law for the COVID vaccine, please direct them to contact SOC HR. The primary point of contact for this exemption request will be (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) contact information is (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) email is (b) (6), (b) (7)(C)@nv.doe.gov. SOC will have a standard form available for use in cases of exemption request.

Should you have any further concerns or questions related to this subject, please do not hesitate to contact me. We continually look forward to working together in the execution of the Protective Force mission.

Sincerely,

(b) (6), (b) (7)(C)

Digitally signed by (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

2021.10.07 16:54:18 -07'00'

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Protective Force Operations

SOC LLC



**From:** [Levy, Nicole C.](#)  
**To:** (b) (6), (b) (7)(C) [@nv.doe.gov](#); (b) (6), (b) (7)(C)  
**Subject:** 28-CA-284864 SOC/NV  
**Date:** Friday, October 29, 2021 7:54:00 PM

---

Hello (b) (6), (b) (7)(C),

I'd like to set up a time to take your affidavit this coming week. Please let me know if you have availability on Tuesday or Wednesday to do so.

Thank you,  
Nicole

Nicole C. Levy (she/her)  
Field Attorney  
National Labor Relations Board | Region 28 | Las Vegas Resident Office  
300 Las Vegas Boulevard, Suite 2-901, Las Vegas, NV 89101  
✉ [nicole.levy@nlrb.gov](mailto:nicole.levy@nlrb.gov) | ☎ (702) 820-7471 | 📠 (702) 388-6248

NOV 2 2021



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 28  
2600 North Central Avenue  
Suite 1400  
Phoenix, AZ 85004-3099

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (602)640-2160  
Fax: (602)640-2178



Download  
NLRB  
Mobile App

October 20, 2021

SOC/NV  
PO Box 96386  
Las Vegas, NV 89193

Re: SOC/NV  
Case 28-CA-284864

Ladies and Gentlemen:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney Nicole Levy whose telephone number is (702)820-7473. The mailing address is 300 Las Vegas Boulevard South Suite 2-901, Las Vegas, NV 89101. If this Board agent is not available, you may contact Deputy Regional Attorney David T. Garza whose telephone number is (505)313-7216.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Correspondence:** All documents submitted to the Region regarding your case MUST be filed through the Agency's website, [www.nlr.gov](http://www.nlr.gov). This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why

October 20, 2021

you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



Cornele A. Overstreet  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

CAO/NL/ia



## NATIONAL LABOR RELATIONS BOARD

## QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME	CASE NUMBER 28-CA-284864
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## 1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

## 2. TYPE OF ENTITY

☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify )

## 3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

## 4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

## 5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

## 6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).

## 7A. PRINCIPAL LOCATION:

## 7B. BRANCH LOCATIONS:

## 8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL:

B. AT THE ADDRESS INVOLVED IN THIS MATTER:

9. DURING THE MOST RECENT (Check the appropriate box): ☐ CALENDAR ☐ 12 MONTHS or ☐ FISCAL YEAR (FY DATES \_\_\_\_\_)

	YES	NO
A. Did you <b>provide services</b> valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value. \$ _____		
B. If you answered no to 9A, did you <b>provide services</b> valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$ _____		
C. If you answered no to 9A and 9B, did you <b>provide services</b> valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$ _____		
D. Did you <b>sell goods</b> valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$ _____		
E. If you answered no to 9D, did you <b>sell goods</b> valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
F. Did you <b>purchase and receive goods</b> valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
G. Did you <b>purchase and receive goods</b> valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$ _____		
H. <b>Gross Revenues</b> from all sales or performance of services (Check the largest amount): <input type="checkbox"/> \$100,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000 <input type="checkbox"/> \$1,000,000 or more If less than \$100,000, indicate amount.		
I. Did you <b>begin operations within the last 12 months</b> ? If yes, specify date: _____		

## 10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

☐ YES ☐ NO (If yes, name and address of association or group).

## 11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME	TITLE	E-MAIL ADDRESS	TEL. NUMBER
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## 12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)	SIGNATURE	E-MAIL ADDRESS	DATE
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## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST EMPLOYER**

**INSTRUCTIONS:**

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
28-CA-284864	10/19/2021

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer SOC/NV		b. Tel. No. 702-295-2382
		c. Cell No.
d. Address (street, city, state ZIP code) SOC/NV Bldg. 1000 Mercury, NV 89023  PO Box 96386 Las Vegas, NV 89193 (Headquarters)	e. Employer Representative (b) (6), (b) (7)(C)	f. Fax No.
		g. e-Mail (b) (6), (b) (7)(C) @nv.doe.gov
		h. Dispute Location (City and State)
i. Type of Establishment (factory, nursing home, hotel) Security Services	j. Principal Product or Service Security Services	k. Number of workers at dispute location ~220

1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Within the previous six months, the above-named employer has interfered with, restrained, and coerced employees in the exercise of their rights under Section 7 of the National Labor Relations Act, by its actions, including, but not limited to failed to bargain with the Union over the implementation of terms and conditions of employment regarding plans unilaterally imposing a policy for COVID-19 vaccinations.

By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of their rights under Section 7 of the National Labor Relations Act.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Independent Guard Association of Nevada, Local 1

4a. Address (street and number, city, state, and ZIP code)

NNSS Building 1000  
Mercury NV, 89023

4b. Tel. No.

4c. Cell No.

(b) (6), (b) (7)(C)

4d. Fax No.

4e. e-Mail

(b) (6), (b) (7)(C) @nv.doc.gov

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

(b) (6), (b) (7)(C)

## 6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Tel. No.

(b) (6), (b) (7)(C)

Office, if any, Cell No.

Fax No.

e-Mail

(b) (6), (b) (7)(C) @nv.doc.gov

Address: NNSS Building 1000  
Mercury NV,

Date:

10-19-21

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
REGION 28  
2600 NORTH CENTRAL AVENUE -SUITE 1400  
PHOENIX, AZ 85004-3099

An Equal Opportunity Employer

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PHOENIX AZ 852

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SOC/NV  
PO Box 96386  
Las Vegas, NV 89102



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**From:** (b) (6), (b) (7)(C)  
**To:** [Levy, Nicole C.](#)  
**Subject:** CASE 28-CA-284864  
**Date:** Thursday, November 4, 2021 4:58:45 PM

---

Hello Nicole,

After discussions with the Executive Board we have decided to withdraw the current charges regarding impact bargaining at this time. We have entered talks with the company regarding the impacts and are awaiting response on open items. Going forward if conditions change we will readdress the charges.

Thank You,

(b) (6), (b) (7)(C)



Case Name: SOC/NV  
Case No.: 28-CA-284864  
Agent: Field Attorney Nicole Levy

**CASEHANDLING LOG**

Date	Person Contacted	Method of Contact	Description of Contact or Activity
10/21/21	(b) (6), (b) (7)(C) [REDACTED] of Independent Guard Association of Nevada Local 1	Phone	Currently (b) (6), (b) (7)(C) of small local union working out of the test site, ~220 members.  December 8 <sup>th</sup> vaccine mandate for the site. ~47% of folks are vaccinated on the site (though (b) (6) thinks it may be higher now).  (b) (5), (b) (6), (b) (7)(C) [REDACTED] [REDACTED] (b) (5) [REDACTED] [REDACTED]  (b) (5) [REDACTED]  Filed the charges on 10/19 and now all of a sudden the management wants to discuss, so they have a meeting on 10/26.  (b) (6), (b) (7)(C) – email to both
10/21/21	(b) (6), (b) (7)(C) [REDACTED]	Email	Sent email saved in NxGen as “LTR.28-CA-284864.Email to CP with eFile link”
11/1/21	(b) (6), (b) (7)(C) [REDACTED]	Email	Set up time to take CP affidavit – will do so on 11/4 at 10 am PST
11/4/21	(b) (6), (b) (7)(C) [REDACTED]	Phone	Called to take CP affidavit (b) (5), (b) (6), (b) (7)(C) [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Date	Person Contacted	Method of Contact	Description of Contact or Activity
			<p>(b) (5), (b) (6), (b) (7)(C)</p> <p>(b) (6) is likely going to ask to withdraw the case. (b) (6) just needs to check with the rest of (b) (6), (b) (7)(C) executive board before (b) (6) does so. (b) (6) is going to do that today and get back to me tomorrow with an update. Because of this, (b) (6) asked if we could postpone the affidavit. I agreed.</p>
11/4/21	(b) (6), (b) (7)(C)	Phone	<p>(b) (6), (b) (7)(C) called to inform me that (b) (6) and the Union's executive board have decided to withdraw the charges. They wanted to know if they had the right to re-file the charges at a later date if something came up during the negotiations and the Employer stopped acting in good faith. I informed (b) (6), (b) (7)(C) that the charges would be withdrawn without prejudice and (b) (6), (b) (7)(C) could re-file if that became necessary in the future. I reminded (b) (6), (b) (7)(C) about the statutory limitations on time for filing with us, and (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) would follow up with an email writing out the request to withdraw.</p>
11/4/21	(b) (6), (b) (7)(C)	Email	Sent email saved in NxGen as "WDR.28-CA-284864.Withdrawal of Charge.msg"



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
REGION 28  
2600 North Central Avenue  
Suite 1400  
Phoenix, AZ 85004-3099

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (602)640-2160  
Fax: (602)640-2178

November 8, 2021

SOC/NV  
PO Box 96386  
Las Vegas, NV 89193

Re: SOC/NV  
Case 28-CA-284864

Ladies and Gentlemen:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Cornele A. Overstreet*

Cornele A. Overstreet  
Regional Director

cc: Independent Guard Association of Nevada, Local 1  
NNSS Building 1000  
Mercury, NV 89023

CAO/NCL/mhz